Village Council March 5, 2007 7:00 PM

MINUTES Regular Session

Call to Order:

The Council of the Village of Canal Winchester met on the above date for its regularly scheduled meeting and was called to order by Dr. Bender.

Pledge of Allegiance:

Lead by Ms. Eisnaugle

Roll Call:

Present for roll call was: Dr. Bender, Mr. Donahue, Ms. Eisnaugle, Mr. Jarvis,

Ms. Mershon, Mr. Paini, and Ms. Turner.

Approval of Minutes:

Ms. Mershon moved to approve the minutes of the February 19, 2007 Regular Council minutes. Ms. Turner seconded the motion. Motion carried.

VOTE: AYES: Mr. Donahue, Ms. Turner, Dr. Bender,

Mr. Jarvis, and Ms. Mershon.

NAYS:

ABSTAIN: Ms. Eisnaugle. Mr. Paini

Communications & Petitions:

Letter the Ohio EPA about the Canal Pointe Industrial Park orthophosphate feed system.

Letter from the Mid-Ohio Regional Planning Commission regarding Federal Funding Application for the Canal Winchester Bikeway-Pedestrian Route.

Memo from Allan Neimayer regarding CRA Housing Council appointments. He recommends Bob Blagg of 41 West Oak Street to a three-year term and Jeff Hall of 30 West Oak Street to a two-year term.

Violet Township and City of Lancaster Memorandum of Understanding Proposal.

Presentation by Rob Vogt of Vogt Williams, & Bowen, LLC. – Residential Market Study for Canal Winchester, Ohio. Mr. Vogt said he is a partner with the marketing research firm of Vogt, Williams & Bowen. They were hired to conduct a market feasibility study for housing alternatives in the community. They conduct about 800 market studies a year and the document they prepared is a broad look at housing for the community and it is not intended to be a site specific market study. The residential market area they looked at included the 43110 zip code and the boundaries of the school district. Discussion ensued.

Village Residents Comments:

Jeffrey Bond of 36 Washington Street gave his opinion on the Residential Market Study.

ORDINANCES:

1st Reading

Sponsor: Ms. Mershon

O-03-07A AN ORDINANCE TO AMEND THE 2007 APPROPRIATIONS ORDINANCE 90-

06.

Ms. Mershon gave the first reading of the above draft ordinance. Ms. Mershon then moved to suspend the rules requiring the 2nd and 3rd readings and was seconded by

Ms. Turner. All ayes, motion carried.

VOTE: AYES: Ms. Mershon, Ms. Turner, Dr. Bender, Mr. Donahue,

Ms. Eisnaugle, Mr. Jarvis, and Mr. Paini.

NAYS:

Ms. Mershon moved to adopt ordinance 12-07 and was seconded by Mr. Paini. All ayes, motion carried.

VOTE: AYES: Ms. Mershon, Mr. Paini, Ms. Turner, Dr. Bender,

Mr. Donahue, Ms. Eisnaugle, and Mr. Jarvis.

NAYS:

Sponsor: Mr. Jarvis

O-03-07B AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO AN

AGREEMENT WITH JEFFREY P. MANKIN TO OBTAIN AN EASEMENT FOR THE RELOCATION OF A STORM SEWER LINE AND DECLARING AN

EMERGENCY.

Mr. Jarvis gave the first reading of the above draft ordinance. Mr. Jarvis then moved to suspend the rules requiring the 2^{nd} and 3^{rd} readings and was seconded by Mr.

Donahue. All ayes, motion carried.

VOTE: AYES: Mr. Jarvis, Mr. Donahue, Ms. Turner, Dr. Bender,

Mr. Paini, Ms. Eisnaugle, and Ms. Mershon.

NAYS:

Mr. Jarvis moved to adopt ordinance 13-07 and was seconded by Ms. Eisnaugle. All

ayes, motion carried.

VOTE: AYES: Mr. Jarvis, Ms. Eisnaugle, Ms. Turner, Dr. Bender,

Mr. Donahue, Mr. Paini, and Ms. Mershon.

NAYS:

Sponsor: Ms. Mershon

O-03-07C AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO AN

AGREEMENT WITH SOUTH CENTRAL POWER TO GRANT AN EASEMENT FOR THE INSTALLATION OF AN ELECTRIC LINE TO THE LIEBERMAN

WELLFIELD AND DECLARING AN EMERGENCY.

Ms. Mershon gave the first reading of the above draft ordinance. Ms. Mershon then moved to suspend the rules requiring the 2nd and 3rd readings and was seconded by Ms. Eisnaugle. All ayes, motion carried.

VOTE: AYES: Ms. Mershon, Ms. Eisnaugle, Ms. Turner, Dr. Bender,

Mr. Paini, Mr. Donahue, and Mr. Jarvis.

NAYS:

Ms. Mershon then moved to adopt ordinance 14-07 and was seconded by Mr.

Donahue. All ayes, motion carried.

VOTE: AYES: Ms. Mershon, Mr. Donahue, Ms. Eisnaugle, Ms. Turner,

Mr. Paini, Mr. Jarvis, and Dr. Bender.

NAYS:

Sponsor: Mr. Jarvis

O-03-07D AUTHORIZING THE ISSUANCE OF NOTES IN THE AMOUNT OF NOT TO

EXCEED \$2,500,000 IN ANTICIPATION OF THE ISSUANCE OF BONDS AND IN ANTICIPATION OF THE LEVY AND COLLECTION OF SPECIAL

ASSESSMENTS FOR THE PURPOSE OF IMPROVEMENT, CONSTRUCTION, AND RECONSTRUCTION OF DILEY ROAD, BEGINNING AT THE LIMITED ACCESS RIGHT-OF-WAY APPROXIMATELY 1,030 FEET NORTH OF THE

INTERSECTION OF DILEY ROAD ON U.S. 33, THENCE NORTH APPROXIMATELY 5,000 FEET, INCLUDING TWO EXISTING

INTERSECTIONS AND TWO NEW INTERSECTIONS, WITH RELATED SITE IMPROVEMENTS AND APPURTENANCES THERETO; RETIRING NOTES PREVIOUSLY ISSUED FOR SUCH PURPOSE; AND DECLARING AN

EMERGENCY.

Mr. Jarvis gave the first reading of the above draft ordinance.

2nd Reading

3rd Reading

Sponsor: Mr. Jarvis

O-02-07A AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A

CONTRACT FOR THE PURCHASE AND PLANTING OF TREES FOR THE

2007 TREE PLANTING PROGRAM.

Mr. Jarvis gave the third reading of the above draft ordinance. Mr. Jarvis then moved to adopt ordinance 15-07 and was seconded by Ms. Eisnaugle. All ayes,

motion carried.

VOTE: AYES: Mr. Jarvis, Ms. Eisnaugle, Ms. Turner, Dr. Bender,

Mr. Paini, Mr. Donahue, and Ms. Mershon.

NAYS:

Sponsor: Ms. Mershon

O-02-07B AN ORDINANCE TO NAME 75.644 ACRE PARCEL NUMBER 184-003184

PURCHASED FROM THE CANAL WINCHESTER LOCAL SCHOOL DISTRICT

FOR PARK LAND.

Ms. Mershon gave the third reading of the above draft ordinance. Ms. Mershon then moved to adopt ordinance 16-07 and was seconded by Mr. Paini. All ayes, motion carried.

VOTE: AYES: Ms. Mershon, Mr. Paini, Ms. Eisnaugle, Mr. Jarvis,

Ms. Turner, Mr. Donahue, and Dr. Bender.

NAYS:

Sponsor: Mr. Jarvis.

O-02-07F AN ORDINANCE TO AMEND PART 11 OF THE CODIFIED ORDINANCES

AND THE ZONING MAP OF THE VILLAGE OF CANAL WINCHESTER, REZONING A 0.25-ACRE TRACT OF LAND FROM LOW DENSITY

RESIDENTIAL (R-3) TO MULTI-FAMILY RESIDENTIAL (AR-1), OWNED BY MAKDREW DEVELOPMENT COMPANY, LOCATED AT 251 HIGHLAND

AVENUE.

Mr. Jarvis gave the third reading of the above draft ordinance. Mr. Jarvis then moved to adopt ordinance 17-07 and was seconded by MR. Paini. Ordinance failed.

VOTE: AYES:

NAYS: Mr. Jarvis, Mr. Paini, Dr. Bender, Mr. Donahue,

Ms. Eisnaugle, and Ms. Mershon.

ABSTAIN: Ms. Turner.

RESOLUTIONS:

1st Reading

2nd Reading

3rd Reading

Sponsor: Dr. Bender

R-02-07A A RESOLUTION TO APPOINT BRUCE JARVIS AS THE VILLAGE

REPRESENTATIVE TO THE VIOLET TOWNSHIP-VILLAGE OF CANAL WINCHESTER COOPERATIVE ECONOMIC DEVELOOPMENT AGREEMENT

JOINT LAND USE COMMITTEE.

Dr. Bender gave the third reading of the above draft resolution. Dr. Bender then moved to adopt resolution 02-07 and was seconded by Mr. Paini. Motion carried.

VOTE: AYES: Dr. Bender, Mr. Paini, Ms. Turner,

Mr. Donahue, Ms. Eisnaugle, and Ms. Mershon.

NAYS:

ABSTAIN: Mr. Jarvis.

Mayor's Report:

Submitted his written report and requested an Executive Session to discuss personnel issues.

Public Works Director:

Mr. Peoples said the street department is out on pot hole patrol from the winter storms. Phase I park plans are being finalized, they had a meeting with EMH&T and the GIS implementation plan may have taken a new turn and they may be able to get the final application product sooner than was anticipated. They are completing year 4 of the NPDES Phase II storm water activities and planning for year 5 activities. The water treatment plant is about fifty five percent complete and the walls should be done this week. The waterline that was part of the Eastside Properties agreement is on schedule and being put in at this time to head out to the school site. He should have a projection for

the equivalent residential unit rate for the storm water utility at the March 19th service committee meeting.

Village Solicitor's Report:

Mr. Hollins passed around a letter from Craig Evans who is the attorney for the estate of the Ed Jeffers Barber Museum. He also reminded council to the CRA Housing council appointments later this evening and the after prom grant request.

Fairfield County Sheriff's Report:

Deputy Dixon gave a report on the statistics over the past 2 weeks.

Finance Directors Report:

Ms. Osborn reminded council that they received the 2006 financial report and if they any questions she will answer them. The advertisements for the 2007 street program have gone out and the bids should open on March 16, 2007. The next Finance meeting will occur on April 2, 2007 and not March 19, 2007.

Council Reports:

Service Committee: Monday, March 19, 2007 at 5:00 p.m. Finance Committee: Monday, April 2, 2007 at 6:00 p.m. Safety Committee: Monday, March 19, 2007 at 6:00 p.m. Old Town Committee: Monday, April 2, 2007 at 5:00 p.m.

Mr. Jarvis said Old Town met this evening and they have decided to put together a focus group comprised of members from Landmarks, Canal Winchester Historical Society, Old Town, Contractors and the Mayor to refine the vision for the inter urban building. The Main Street program asked about a community garden and where one might be started. Mr. Jarvis said a location pending the owner's approval would be the field behind Bolenbaugh and Mr. Paini would define this more. The Main Street program also requested possibly making a resolution that would prohibit any kind of permanent structure in the green area behind Stradley Place Park.

Old/New Business:

Mr. Paini moved to accept Mr. Neimayer's nomination for CRA representatives, Mr. Hall for 2 years and Mr. Blagg for 3 years. Ms. Mershon seconded the motion. All ayes, motion carried.

VOTE: AYES: Mr. Paini, Ms. Mershon, Ms. Turner, Mr. Jarvis,

Ms. Eisnaugle, Mr. Donahue, and Dr. Bender.

NAYS:

Mr. Donahue moved to donate \$500.00 to the Canal Winchester after prom committee and was seconded by Ms. Turner. Motion carried.

VOTE: AYES: Mr. Donahue, Ms. Turner, Dr. Bender, Mr. Paini,

Ms. Eisnaugle, and Ms. Mershon.

NAYS:

ABSTAIN: Mr. Jarvis.

Ms. Eisnaugle moved to donate \$19,000 to Canal Winchester Historical Society for the Ed Jeffers Barber Museum and was seconded by Ms. Mershon. All ayes, motion carried.

VOTE: AYES: Ms. Eisnaugle, Ms. Mershon, Ms. Turner, Mr. Paini,

Mr. Jarvis, Mr. Donahue, and Dr. Bender.

NAYS:

Canal Winchester School District

David Brobst from the School District said they wanted to come for clarification on the issue of the

intersection at Lithopolis and Gender road. He stated that they know from the traffic study that three things need to be done. There needs to be a right turn lane from Lithopolis Road to Parkview Drive, and a left turn lane from Lithopolis Road to Parkview Drive. He said these are under the jurisdiction of the county engineer's office and they are the obligation of the schools. He said they are proceeding forward with this, but they have a question regarding the right turn lane from Lithopolis Road onto Gender Road. A proposal was given to the schools of placing that turn lane with them buying the easement and a possible shared cost. He said there were other comments from council that there may be a different vision for the intersection by council, and the school would like to know where they are in regards to the turn lane from Gender to Lithopolis Road. He asked if this is something that council is intending for the school to proceed with or is it something that council is looking at and having the village pay for. Mr. Jarvis stated that looking back on how this unfolded he received the impression that there was a fairly big discrepancy between what the original estimates for all these improvements were going to be based on an engineer's estimate and where they actually came in. Mr. Jarvis said they were curious about the process the school employed when this was first envisioned, and if in Mr. Brobst's opinion anything in that process might have broken down that might have led to a wide discrepancy between what was budgeted and where the figures finally came in. Mr. Brobst said \$80,000 was originally budgeted for a right turn lane off of Lithopolis onto Parkview Drive. He said they did not anticipate the broad range that the village and county would require within the traffic study to look at intersections as far away as Lithopolis and Gender and Lithopolis at Groveport Road. Discussion ensued. Dr. Bender invited a school representative to attend the Service Committee meetings each month so they would be more informed with the issues at hand. Mr. Donahue asked about another intersection and if was common for the county to get involved whether it be 2 or 5 miles down the road. Gary Palatas said that normally when you do a traffic study it generates a certain amount of volume they look at the adjoining intersections. Mr. Donahue stated that this is a State Route, ODOT closed off Cemetery Road, which increased traffic on Gender Road and feel ODOT should contribute some money towards this also. Mr. Palatas said it is a wasted effort in terms of asking ODOT to come up with funding for this and there is a zero percent chance of getting money from them for the intersection. Stan Smith stated that as they talk about benefits they need to keep in mind that it wasn't just the school traffic that was studied; other properties were included at the request of the people who dictated that the study be done. Discussion ensued about TIF's and the Village paying for the Gender/Lithopolis Road project; assigning a TIF and eventually when neighboring land is developed it would pay for the project along with the schools. Ms. Osborn stated that the village could structure a finance package where the cost of any road improvement would be pulled from any TIF revenue first. Mr. Hollins is to work on an agreement funding the turn lane and bring the legislation back to council for further consideration.

Adjournment to Executive Session:

Dr. Bender moved to adjourn to executive session and was seconded by Ms. Eisnaugle. All ayes, motion carried.

VOTE: AYES: Dr. Bender, Ms. Eisnaugle, Mr. Donahue, Mr. Jarvis,

Ms. Mershon, Mr. Paini, and Ms. Turner.

NAYS:

TIME OUT: 8:28PM TIME IN: 9:26PM

There was no action to take as a result of executive session.

Adjournment:

Mr. Donahue moved to adjourn this meeting of Council and was seconded by Ms. Turner. All ayes, motion carried.

VOTE: AYES: Mr. Donahue, Ms. Turner, Ms. Mershon, Mr. Paini,

Ms. Eisnaugle, Mr. Jarvis, and Dr. Bender.

NAYS:

| Time out 9:26m | |
|--------------------------------------|--------------------------|
| Nanisa Osborn, Clerk of Council | John Bender, President |
| Date | Jeffery J. Miller, Mayor |
| Lori Nelson Administrative Assistant | |

NOTE: The minutes set forth herein are an extract of the Council meetings. Anyone desiring a transcript of the complete minutes of the Council meeting may obtain the same at a cost of \$10.00 per page.